

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Lakendrick Fobbs

Docket No. 5:03-CR-310-1D

Petition for Action on Supervised Release

COMES NOW Matthew A. Fmura, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Lakendrick Fobbs, who, upon an earlier plea of guilty to Conspiracy to Commit Armed Bank Robbery, 18 U.S.C. § 371; Armed Bank Robbery and Aiding and Abetting, 18 U.S.C. §§ 2113(a) and (d) and 2; Use, Carry, and Brandish a Firearm During and in Relation to a Crime of Violence and Aiding and Abetting, 18 U.S.C. §§ 924(c)(1) and 2, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on October 18, 2004, to the custody of the Bureau of Prisons for a term of 204 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Lakendrick Fobbs was released from custody on April 3, 2018, at which time the term of supervised release commenced. On July 9, 2021, this case was reassigned to the Honorable James C. Dever III.

On July 12, 2021, a Violation Report was submitted advising the court that the defendant was charged with Driving While Impaired in Edgecombe County, North Carolina (21CR51226). This matter was held in abeyance pending a resolution in state court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On March 24, 2022, Fobbs pled guilty to Driving While Impaired – Level 5 in Edgecombe County District Court (21CR51226). The defendant was sentenced to 60 days in confinement, which was suspended for 12 months of unsupervised probation. Additionally, Fobbs is to surrender his driver's license, complete 24 hours of community service, and pay the court costs, fine, and community service fee. At this time, the defendant has satisfied the monetary portion of his sentence. Fobbs maintains residence in the Rocky Mount, area, and works full time for Cummins Diesel Plant in Whitakers, North Carolina. To ensure the defendant will continue his employment while being sanctioned for his conduct, it is respectfully recommended that the court modify the judgment to include alcohol abstinence and a curfew of 30 days. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall adhere to a curfew as directed by the probation officer for 30 consecutive days. The defendant is restricted to his residence during the curfew hours.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Matthew A. Fmura
Matthew A. Fmura
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2345
Executed On: April 7, 2022

ORDER OF THE COURT

Considered and ordered this 11 day of April, 2022, and ordered filed and
made a part of the records in the above case.

James C. Dever III
James C. Dever III
U.S. District Judge